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**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Applicant: Donald E. Weder and Joseph G. Straeter**

**Serial No.: Not Yet Assigned**

**Atty. Dkt. No.: 8404.013**

**Filed: Herewith**

**Art Unit: 3721**

**For: FLAT PANEL SLEEVE WITH  
FOLDED PORTIONS AND  
METHOD OF MANUFACTURING**

**Examiner: S. Tawfik**

**Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450**

**INFORMATION DISCLOSURE STATEMENT**

The following sections are being submitted for this Information Disclosure Statement:

1.    ☒ Preliminary Statements
2.    ☒ Form PTO-1449 (Modified)
3.    ☒ Statements as to Information Not Found in Patents or Publications (Information not listed in PTO 1449 (Modified))
4.    ☒ Identification of Prior Application In Which Listed Information Was Already Cited and for Which No Copies Are Submitted Or Need to Be Submitted
5.    ☒ Copies of Listed Information Items Accompanying this Statement
6.    ☒ Identification of Person(s) Making This Information Disclosure Statement

## **Section 1. Preliminary Statements**

Applicants submit herewith patents, publications or other information of which they are aware, which they believe may be material to the examination of this application and in respect of which there may be a duty to disclose.

The filing of this information disclosure statement shall not be construed as a representation that a search has been made (37 C.F.R. § 1.97(g)), an admission that the information cited is, or is considered to be, material to patentability or that no other material information exists.

The filing of this information disclosure statement shall not be construed as an admission against interest in any manner. Notice of January 9, 1992, 1135 O.G. 13-25, at 25.

## **Section 2. Form PTO-1449 (Modified)**

☒ [X ] A completed Form 1449 (Modified) is attached hereto.

☐ [ ] No Form 1449 (Modified) is attached.

## **Section 3. Statement as to Information Not Found in Patents or Publications (Information Not Listed in Form PTO-1449)**

Plant sleeves are old in the art. Plant sleeves typically are constructed of polymer film or paper. Plant sleeves generally are tapered (trapezoidally shaped) with an open top and an open bottom, although some have a closed bottom. A plant in a pot is placed in the plant sleeve so that the sleeve covers the pot and the plant. In some instances, an upper portion of the plant sleeve is removable along a line of perforations leaving at least a portion of the sleeve around the pot. In some instances, a separate sheet of material is placed about the pot and the remaining bottom portion of the plant sleeve holds this separate sheet of material in place. Alternatively, a floral grouping alone may be placed within the sleeve. It is also known to put potted plants in grocery bags.

It is also old in the art to form a sheet of material about a flower pot and then place an elastic band around the sheet of material to hold the sheet in place about the flower pot. In some instances, the band has been positioned about the outer surface of the pot with the sheet of material positioned between the band and the flower pot. In some instances, the band has been positioned

above the upper end of the pot thereby causing a portion of the sheet of material to be forced inwardly over the upper end of the pot.

It is also old in the art to form a sheet of material into a conically shaped tube like member referred to commonly in the art as a sleeve. A floral grouping or flower pot with flowers therein can be disposed through the larger open end of the sleeve, wherein the sleeve covers the floral grouping or the flower pot and extends above and around the flowers in the floral grouping or flower pot.

It is also old in the art that cut flowers have been wrapped with the following materials or combinations of materials:

1. Kraft paper plus waxed or unwaxed tissue paper with the flowers being placed next to the waxed paper or tissue paper.
2. Kraft paper plus newspaper plus waxed or unwaxed tissue with the flowers being placed next to the waxed or unwaxed tissue. These three materials have been used to wrap flowers in various combinations such as Kraft paper plus newspaper or Kraft paper plus waxed or unwaxed tissue paper or newspaper plus waxed or unwaxed tissue paper.
3. Waxed or unwaxed tissue paper, polymer films and Kraft paper (treated for water resistance or wet strength or untreated).
4. Polymer film and waxed tissue paper.

#### **Section 4. Identification of Prior Application In Which Listed Information Was Already Cited and for Which No Copies Are Submitted Or Need Be Submitted**

This application relies, under 35 U.S.C. § 120, on the earlier filing date of prior application serial no. 10/076,298, filed on February 14, 2002.

#### **Section 5. Copies of Listed Information Items Accompanying this Statement**

Legible copies of all items listed in Form PTO-1449 (Modified) accompany this information disclosure statement.

☐ Exception(s) to above:

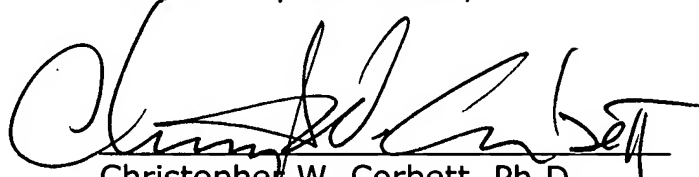
☐ Items in prior application from which an earlier filing date is claimed for this application, as identified in Section 4.

**Section 6. Identification of Person(s) Making this INFORMATION DISCLOSURE STATEMENT**

The person making this statement is the attorney/agent who signs below on the basis of the information:

- ☐ supplied by the inventor(s)
- ☐ supplied by an individual associated with the filing and prosecution of this application (37 C.F.R. § 1.56(c)).
- ☒ in the attorney/agent's file

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Christopher W. Corbett', is written over a horizontal line.

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Agent for Applicants

<b>FORM PTO-1449</b> <small>(Fill-A-Form 7.92)</small> <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> (Use several sheets if necessary)	U.S. DEPARTMENT OF COMMERCE Patent and Trademark Office	Attorney's Docket Number <b>8404.013</b>	Serial Number <b>Not Yet Assigned</b>
		Applicant <b>Donald E. Weder</b>	
		Filing Date <b>Herewith</b>	Group <b>3721</b>

### U. S. PATENT DOCUMENTS

EXAM INIT.		PATENT NUMBER							ISSUE DATE	PATENTEE	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA	1	0	4	4	2	6	0	11/12/1912	Schloss			
	AB	1	5	2	0	6	4	7	12/23/1924	Hennigan			
	AC	1	6	9	7	7	5	1	01/01/1929	Blake	229	87	
	AD	1	7	9	4	2	1	2	01/18/1929	Snyder			
	AE	1	8	1	1	5	7	4	03/14/1930	Barrett			
	AF	1	8	6	3	2	1	6	06/14/1932	Wordingham			
	AG	2	1	7	0	1	4	7	08/22/1939	Lane	206	56	
	AH	2	2	0	0	1	1	1	05/07/1940	Bensel	229	1.5	
	AI	2	3	2	3	2	8	7	07/06/1943	Amberg	229	53	
	AJ	2	3	5	5	5	5	9	08/08/1944	Renner	229	8	
	AK	2	3	7	1	9	8	5	03/20/1945	Freiberg	206	46	
	AL	2	5	2	9	0	6	0	11/07/1950	Trillich	117	68.5	
	AM	2	6	8	8	3	5	4	09/07/1954	Berger	150	28	
	AN	2	7	7	4	1	8	7	12/18/1956	Smithers	47	41	
	AO	2	9	8	9	8	2	8	06/27/1961	Warp	53	390	
	AP	3	0	2	2	6	0	5	02/27/1962	Reynolds	47	58	
	AQ	3	0	9	4	8	1	0	06/25/1963	Kalpin	47	37	
	AR	3	3	1	6	6	7	5	05/02/1965	Cartwright, Jr.			
	AS	3	2	7	1	9	2	2	09/13/1966	Wallerstein et al.	53	3	
	AT	3	3	7	6	6	6	6	04/09/1968	Leonard	47	41	
	AU	3	3	8	0	6	4	6	04/30/1968	Doyen et al.	229	57	
	AV	3	4	3	1	7	0	6	03/11/1969	Stuck	53	390	
	AW	3	5	1	2	7	0	0	05/19/1970	Evans et al.	229	53	

U. S. PATENT DOCUMENTS													
EXAM INIT.		PATENT NUMBER							ISSUE DATE	PATENTEE	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	BA	3	5	5	0	3	1	8	12/29/1970	Remke et al.	47	37	
	BB	3	5	5	6	3	8	9	01/19/1971	Gregoire	229	53	
	BC	3	7	6	7	1	0	4	10/23/1973	Bachman et al.	229	7	
	BD	3	9	6	2	5	0	3	06/08/1976	Crawford	428	40	
	BE	4	0	4	3	0	7	7	08/23/1977	Stonehocker	47	66	
	BF	4	0	9	1	9	2	5	05/30/1978	Griffo et al.	206	423	
	BC	4	1	1	8	8	9	0	10/10/1978	Shore	47	28	
	BH	4	1	8	9	8	6	8	02/26/1980	Tymchuck et al.	47	84	
	BI	4	2	4	8	3	4	7	02/03/1981	Trimbee	206	423	
	BJ	4	2	6	5	0	4	9	05/05/1981	Gorewitz	47	26	
	BK	D	2	5	9	3	3	3	05/26/1981	Charbonneau	D9	306	
	BL	4	2	8	0	3	1	4	07/28/1981	Stuck	53	241	
	BM	4	3	3	3	2	6	7	06/08/1982	Witte	47	84	
	BN	4	3	4	7	6	8	6	09/07/1982	Wood	47	73	
	BO	4	4	0	0	9	1	0	08/30/1983	Koudstall et al.	47	84	
	BP	4	4	1	3	7	2	5	11/08/1983	Bruno et al.	206	45.33	
	BQ	4	6	2	1	7	3	3	11/11/1986	Harris	206	423	
	BR	4	6	4	0	0	7	9	02/03/1987	Stuck	53	390	
	BS	4	7	3	3	5	2	1	03/29/1988	Weder et al.	53	580	
	BT	4	7	7	3	1	8	2	09/27/1988	Weder et al.	47	72	
	BU	4	8	0	1	0	1	4	01/31/1989	Meadows	206	423	
	BV	4	8	1	0	1	0	9	03/07/1989	Castel	383	105	
	BW	D	3	0	1	9	9	1	07/04/1989	Van Sant	D11	149	
	BX	4	9	4	1	5	7	2	07/17/1990	Harris	206	423	
	BY	4	9	8	9	3	9	6	02/05/1991	Weder et al.	53	397	
	BZ	D	3	1	5	7	0	0	03/26/1991	Stephens	D11	151	

## U. S. PATENT DOCUMENTS

EXAM INIT.		PATENT NUMBER							ISSUE DATE	PATENTEE	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	CA	5	0	7	3	1	6	1	12/17/1991	Weder et al.	493	154	
	CB	5	1	0	5	5	9	9	04/21/1992	Weder	53	399	
	CC	5	1	1	1	6	3	8	05/12/1992	Weder	53	397	
	CD	5	1	8	1	3	6	4	01/26/1993	Weder	53	397	
	CE	5	2	0	5	1	0	8	04/27/1993	Weder et al.	53	397	
	CE	5	2	2	8	2	3	4	07/20/1993	de Klerk et al.	47	41.01	
	CG	5	2	3	5	7	8	2	08/17/1993	Landau	47	72	
	CH	5	3	0	7	6	0	6	05/03/1994	Weder	53	410	
	CI	5	3	1	5	7	8	5	05/31/1994	Avôt et al.	47	72	
	CJ	5	3	5	0	2	4	0	09/27/1994	Billman et al.	383	104	
	CK	5	3	5	3	5	7	5	10/11/1994	Stepanek	53	461	
	CL	5	3	6	1	4	8	2	11/08/1994	Weder et al.	29	469	
	CM	5	3	8	8	6	9	5	02/14/1995	Gilbert	206	423	
	CN	5	4	2	8	9	3	9	04/04/1995	Weder et al.	53	397	
	CO	5	4	4	3	6	7	0	08/22/1995	Landau	156	191	
	CP	5	4	9	3	8	0	9	02/27/1996	Weder et al.	47	72	
	CQ	5	4	9	6	2	5	1	03/05/1996	Cheng	493	224	
	CP	5	4	9	6	2	5	2	03/05/1996	Gilbert	493	224	
	CS	D	3	6	8	0	2	5	03/19/1996	Sekerak et al.	D9	305	
	CT	5	5	2	6	9	3	2	06/18/1996	Weder	206	423	
	CU	5	5	5	1	5	7	0	09/03/2001	Shaffer et al.	206	575	
	CV	5	5	7	2	8	4	9	11/12/1996	Weder et al.	53	399	
	CW	5	5	7	2	8	5	1	11/12/1996	Weder	53	399	
	CX	5	6	1	7	7	0	3	04/08/1997	Weder	53	413	
	CY	5	6	2	4	3	2	0	04/29/1997	Martinez	472	51	
	CZ	5	6	2	5	9	7	9	05/06/1997	Weder			

U. S. PATENT DOCUMENTS													
EXAM INIT.		PATENT NUMBER							ISSUE DATE	PATENTEE	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	DA	5	6	4	7	1	6	8	07/15/1997	Gilbert	47	72	
	DB	5	6	4	7	1	9	3	07/15/1997	Weder et al.	53	465	
	DC	5	7	1	5	9	4	4	02/10/1998	Windisch	206	423	
	DD	D	4	0	4	6	8	4	01/26/1999	Shea	D11	164	
	DE	5	9	7	4	7	3	0	11/02/1999	Chien	47	41.01	
	DF	D	4	1	9	4	3	6	01/25/2000	Celtorius et al.	D9	305	
	DG	6	1	2	9	2	0	8	10/10/2000	Ferguson	206	423	
	DH	6	1	2	9	2	0	9	10/10/2000	Tchira	206	423	

FOREIGN PATENT OR PUBLISHED FOREIGN PATENT APPLICATION														
EXAM INIT.		DOCUMENT NUMBER							PUBLICATION DATE	COUNTRY OR PATENT OFFICE	CLASS	SUBCLASS	Translation	
													YES	NO
	DI	4	2	3	1	9	7	8	06/21/1979	Australia				
	DJ		6	5	4	4	2	7	01/02/1965	Belgium			X	
	DK	0	7	9	1	5	4	3	08/27/1997	EPO			X	
	DL	2	0	3	6	1	6	3	12/24/1970	France			X	
	DM	2	1	3	7	3	2	5	12/29/1972	France			X	
	DN	2	6	0	3	1	5	9	03/04/1989	France			X	
	DO	2	6	1	9	6	9	8	03/1989	France			X	
	DP			1	5	5	5	0	06/02/1900	Germany			X	
	DQ	1	1	6	6	6	9	2	03/26/1964	Germany			X	
	DR	1	9	6	2	9	4	7	06/24/1971	Germany			X	
	DS	2	8	6	0	8	1	2	11/04/1971	Germany			X	
	DT	2	7	4	8	6	2	6	05/03/1979	Germany			X	
	DU	3	4	4	5	7	9	9	06/19/1986	Germany			X	
	DV	3	8	2	9	2	8	1	05/18/1989	Germany				X



FOREIGN PATENT OR PUBLISHED FOREIGN PATENT APPLICATION														
EXAM INIT.		DOCUMENT NUMBER							PUBLICATION DATE	COUNTRY OR PATENT OFFICE	CLASS	SUBCLASS	Translation	
													YES	NO
	EA		2	2	4	5	0	7	04/30/1996	Italy			X	
	EB	1	0	0	0	6	5	8	01/05/1996	Netherlands			X	
	EC	8	3	0	1	7	0	9	12/1984	Netherlands			X	
	ED	9	3	1	5	9	7	9	08/19/1993	PCT			X	
	EE		5	6	0	5	3	2	04/15/1975	Switzerland			X	
	EF				5	6	0	5	05/06/1885	United Kingdom				
	EG	1	2	0	4	6	4	7	09/09/1970	United Kingdom				
	EH	2	0	5	6	4	1	0	03/18/1981	United Kingdom				
	EI	2	0	7	4	5	4	2	11/04/1981	United Kingdom				
	EJ													

EXAM INIT.	DL	OTHER MATERIALS (Including, Author, Title, Date, Relevant Pages, Place of Publication.**)
	FA	Speed Cover Brochure, "The Simple Solution For Those Peak Volume Periods", Highland Supply Corporation, ©1989.
	FB	"Speed Sheets and Speed Rolls" Brochure, Highland Supply Corporation, ©1990.
	FC	"Color Them Happy with Highlander Products" ©1992.
	FD	"Costa Keeps the Christmas Spirit", Supermarket Floral, September 15, 1992.
	FE	"Super Seller", Supermarket Floral, September 15, 1992.
	FF	"Halloween", Link Magazine, September 1992.
	FC	"Now More Than Ever", Supermarket Floral, September 15, 1992.
	FH	Le Plant Sac Advertisement, published prior to September 26, 1987.
	FI	"A World of Cut Flower and Pot Plant Packaging" Brochure, Klerk's Plastic Products Manufacturing, Inc., published prior to March 31, 1994, 6 pages.
	FJ	Chantler & Chantler brochure showing Zipper Sleeve™ and Florasheet®, published prior to March 31, 1994, 2 pages.
	FK	"Stand Alone Plastic Bagmaking" brochure, AMI, Atlanta, GA, February 15, 1996, 2 pages.
	FL	"Foil Jackets" brochure, Custom Medallion, Inc., December, 1996, 2 pages.
	FM	"Derwent Abstract" of FR 2610604A. It is noted that the abstract is an incorrect English translation of the contents of the French patent. <u>The French patent does not enable or disclose adhesively attaching the covering to the container.</u> 1988.
	FN	"Silver Linings" Brochure, Affinity Diversified Industries, Inc., 1986. The Silver Linings brochure shows a floral sleeve with a closed bottom. The brochure shows, in one embodiment, a vase with flowers inside a "cut flower" sleeve with the sleeve tied with a ribbon about the neck of the vase.
	FO	"Special Occasion Printed Highlophane Bags" Brochure, Highland Supply Corporation, 1990, 2 pages.
	FP	"Creative Packaging" Brochure, John Henry Company, Sept. 1992.
	FQ	"Make Highlander Your Headquarters" Brochure, Highland Supply Corporation, 1991.
	FR	"Send Collection Sleeve", Commercially available at least one year prior to the filing date.
EXAMINER		DATE CONSIDERED
EXAMINER: Initial if citation considered, whether or not citation is in conformance and not considered. Include copy of this form with next communication to applicant. **Place of Publication refers to name of publication in which the information was published.		